

## **BOROUGH OF HASBROUCK HEIGHTS**

### **M I N U T E S**

**March 8, 2005**

A Regular Meeting of the Mayor and Council of the Borough of Hasbrouck Heights was held on March 8, 2005 at 8:09 p.m. at the new Municipal Building, 320 Boulevard, Hasbrouck Heights, NJ.

Borough Clerk Rose Marie Sees stated that the meeting complied with the Sunshine law, adequate notice of this meeting having been made to all members of the Council by personal service on January 4, 2005 and transmitted to The Observer, The Record and The Herald News on January 4, 2005.

**ROLL CALL:** Present: Mayor Ronald R. Jones, Councilwoman Carol J. Skiba, Councilman Leonard Introna, Councilman Thomas E. Meli, Councilman Ronald F. Kistner, Councilman Justin A. DiPisa, Councilman Andrew Link III

Absent: None

**SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE:** Mayor Jones led in the Salute to the Flag and Pledge of Allegiance.

**INVOCATION:** The Invocation was given by Councilman DiPisa.

#### **COMMUNICATIONS:**

- 1) Letter from the Verni Family thanking the EMT and Police Department for saving Anton's Life, and a request to the Borough to consider a small remembrance near the accident scene at Terrace and Cleveland.
- 2) Letter from Maryetta Saccomano, Trustee, Free Public Library announcing the "Wine and Delights" Affair on April 3, 2005 at the Ivy Inn.

Mayor Jones asked if anyone wished to have any item read in full. Item #1 was referred to the work session. He then asked for a motion.

On a motion by Councilman Link, seconded by Councilman Introna, and unanimously carried, the foregoing Communications were accepted.

**PETITIONS:** None

**APPROVAL OF MINUTES:** (January 11, 2005)

On a motion by Councilman Link, seconded by Councilwoman Skiba, and unanimously carried, the foregoing Minutes were approved.

**BILLS:**

**BE IT RESOLVED** that the claims and accounts amounting to \$1,736,217.81 specified in the schedule hereto annexed, having been examined and approved by the Finance Commissioner, or his Deputy, be paid and that warrants be issued therefor.

Signed Andrew Link III  
Commissioner of Finance

On a motion by Councilman DiPisa, seconded by Councilman Introna, the foregoing Resolution was approved.

**BUSINESS**

- CONSENT AGENDA:**
- 47. Authorizing Borough Clerk to Advertise for Bids for Radio Maintenance
  - 48. Calling for Full and Fair Funding in the TEA-21 Reauthorization
  - 48. Raffle License for Hasbrouck Heights Lions Club

On a motion by Councilman DiPisa, seconded by Councilman Meli, and unanimously carried, the foregoing Consent Agenda Resolutions were approved (Copies attached).

Mayor Jones announced that this particular Ordinance on Introduction was read out of order, so that it was introduced before the Resolution authorizing the introduction of the 2005 Municipal Budget.

**ORDINANCE(S) ON INTRODUCTION:**

**ORDINANCE NO. 2074:**

**BE IT RESOLVED** that an Ordinance entitled: **"AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BAND (N.J.S.A. 40A: 4-45.14) CALENDAR YEAR 2005"** was introduced this date be and the same is hereby passed on first reading and the Borough Clerk be directed to advertise

**ORDINANCE NO. 2074 (cont'd):**

notice of public hearing on said Ordinance to be held at the regular meeting of the Borough Council on March 22, 2005.

On a motion by Councilman Link, seconded by Councilman DiPisa, with Councilwoman Skiba (as she felt she did not have sufficient information such as the want and wish list so she could know how the figures were arrived at for the budget) and Councilman Introna abstaining for the same reason, the foregoing Ordinance on Introduction was approved.

- RESOLUTIONS:**
- 50. Payroll
  - 51. Dog Licenses - Payment of Fees to State
  - 51. Fighting to Restore the Community Development Block Grant Program
  - 51. Authorizing Introduction of 2005 Municipal Budget
  - 51. Authorizing Professional Contract with Dr. Bruce Eisenstein to Consult the Governing Body and the Borough Attorney Re: Cellular Communication Regulations
  - 51. Exempting the Community Celebrations Sponsored Garage Sale
  - 51. Permitting Farmer's Market During the Community Celebrations Sponsored Garage Sale
  - 51. Authorizing Execution of a Developer's Agreement with Commerce Bank

On a motion by Councilman Link, seconded by Councilman Meli, and unanimously carried, the foregoing Resolutions were approved (Copies attached).

**APPOINTMENTS:** Mark A. Waring to Fire Department Hook and Ladder Company

On a motion by Councilman Meli, seconded by Councilman Introna, and unanimously carried, the foregoing Appointment was approved.

**RESIGNATIONS:** None

Borough of Hasbrouck Heights - 3/8/05 - page 4

**ORDINANCE (S) ON INTRODUCTION:**

**ORDINANCE NO. 2075:**

**BE IT RESOLVED** that an Ordinance entitled: **“AN ORDINANCE TO STABILIZE AND REGULATE RENTS WITHIN THE BOROUGH OF HASBROUCK HEIGHTS AND TO ESTABLISH A RENT BOARD, WHICH ORDINANCE IS TO BE COMMONLY KNOWN AS THE “2005 RENT LEVELLING ORDINANCE”** was introduced this date be and the same is hereby passed on first reading and the Borough Clerk be directed to advertise notice of public hearing on said Ordinance to be held at the regular meeting of the Borough Council on March 22, 2005.

**ORDINANCE NO. 2076:**

**BE IT RESOLVED** that an Ordinance entitled: **“AN ORDINANCE TO SUPPLEMENT SCHEDULE 1 ENTITLED “SCHEDULE OF DISTRICT USE REGULATIONS” OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO ADD TO THE LIST OF PERMITTED PRINCIPAL USES IN THE B-2 HIGHWAY COMMERCIAL ZONE :BUSINESS AND PROFESSIONAL OFFICES” AS THE SAME WERE PERMITTED IN THAT ZONE BY REFERENCE TO PERMITTED USES IN THE B-1 ZONE PRIOR TO THE AMENDMENT”** was introduced this date be and the same is hereby passed on first reading and the Borough Clerk be directed to advertise notice of public hearing on said Ordinance to be held at the regular meeting of the Borough Council on March 22, 2005.

**ORDINANCE NO. 2077:**

**BE IT RESOLVED** that an Ordinance entitled: **“AN ORDINANCE CORRECTING TYPOGRAPHIC ERRORS IN AN ORDINANCE ENTITLED, “AN ORDINANCE TO AMEND AND SUPPLEMENT CERTAIN PROVISIONS OF BOTH ARTICLE VI OF THE SUBDIVISION AND SITE PLAN REVIEW ORDINANCE BEING ORDINANCE NO. 1407 ADOPTED ON MARCH 23, 1987 AS THE SAME HAS BEEN HERETOFORE AMENDED AND SUPPLEMENTED AND ALSO CERTAIN PROVISIONS OF ARTICLE VII OF CHAPTER 275 ENTITLED “ZONING” OF THE CODE OF THE BOROUGH OF HASBROUCK HEIGHTS SO AS TO ELIMINATE THEREFROM THE CURRENT REQUIREMENTS TO PROVIDE CERTAIN SPECIFIED NUMBERS OF PARKING PLACES IN RELATION TO CERTAIN SPECIFIED USES WITHIN THE B-1 CENTRAL BUSINESS DISTRICT OF THIS BOROUGH AND TO REPLACE THOSE REQUIREMENTS WITH A SINGLE REQUIREMENT THAT PREMISES WITHIN THE SAID ZONE SHALL BE REQUIRED TO MAINTAIN THE SAME NUMBER OF PARKING PLACES AS PRESENTLY PROVIDED, ALL OF WHICH PARKING PLACES SHALL BE FOR THE EXCLUSIVE USE OF THE PARKING OF MOTOR VEHICLES IN RELATION TO THE USE CONDUCTED UPON**

***SUCH PREMISES***" BEING ORDINANCE NO. 2051 ADOPTED JULY 13, 2004" was introduced this date

Borough of Hasbrouck Heights - 3/8/05 - page 5

**ORDINANCE(S) ON INTRODUCTION (cont'd):**

be and the same is hereby passed on first reading and the Borough Clerk be directed to advertise notice of public hearing on said Ordinance to be held at the regular meeting of the Borough Council on March 22, 2005.

On a motion by Councilman Skiba, seconded by Councilman DiPisa, with Councilman Kistner abstaining from Ordinance No. 2076 as he manages a property within that zone, the foregoing Ordinances on Introduction were approved.

**ORDINANCE(S) ON PUBLIC HEARING:**       None

**MISCELLANEOUS FROM PUBLIC:**

Joseph Livecchi, 304 Division Avenue, had three questions. He asked if the governing body had met regarding the new cell tower ordinance, were there any conclusions on it. The Borough Attorney reported that at the conclusion of the last council meeting, it was decided to go forward with the advice of the expert, which resolution was on tonight's agenda. The format would be to send him the contract, advise him of our current ordinances and the proposals presently before the council sub-committee and he will report back to the council sub-committee.

Will Toledo, 251 Division Avenue, reiterated what Mr. Livecchi said, regarding the ordinance, and wondered if the expert's report would come too late for the next Planning Board meeting. He recommended if the report is not ready, the Planning Board meeting should be postponed, and was requesting Mr. Ahearn's presence when that meeting is held. He was advised that this is Planning Board jurisdiction. It was also noted the expert's report was necessary to determine what areas would be deemed necessary to conform to federal regulations with regard to cell towers.

**RECESS FOR WORK SESSION:**

Mayor Jones announced that the meeting would be recessed for Work Session.

**ADJOURN:**

There being no further business to be conducted by the Mayor and Council, the meeting was adjourned at 8:48 p.m.

I, ROSE MARIE SEES, Borough Clerk of the Borough of Hasbrouck Heights, do hereby certify that the foregoing Minutes are to the best of my knowledge a true account of the Mayor and Council Meeting held on March 8, 2005.

Rose Marie Sees, RMC  
Borough Clerk